

BUILDING BLOCKS FOR EFFECTIVE HOUSING ELEMENTS



BEFORE YOU START

THE HOUSING ELEMENT FRAMEWORK

Government Code Section 65580 declares:

“The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.”

State law also recognizes the most critical decisions about supply and affordability of housing occur at local level. To that end, the housing element update process plays a critical role in identifying and addressing housing needs for all members of the community. In addition, the State has a fundamental interest in housing supply and affordability because of the critical role of housing as an engine for economic stability and growth.

In general, a housing element must at least include the following components:

A Housing Needs Assessment:

Existing Needs - The number of households overpaying for housing, living in overcrowded conditions, or with special housing needs (e.g., the elderly, large families, homeless) the number of housing units that need rehabilitation, and assisted affordable units at-risk of converting to market-rate.

Projected Needs - The city or county's share of the regional housing need as established in the RHNP prepared by the COG. The allocation establishes the number of new units needed, by income category, to accommodate expected population growth over the planning period of the housing element. The RHNP provides a benchmark for evaluating the adequacy of local zoning and regulatory actions to ensure each local government is providing sufficient appropriately designated land and opportunities for housing development to address population growth and job generation.

A Sites Inventory and Analysis:

The element must include a detailed land inventory and analysis including a sites specific inventory listing properties, zoning and general plan designation, size and existing uses; a general analysis of environmental constraints and the availability of infrastructure, and evaluation of the suitability, availability and realistic development capacity of sites to accommodate the jurisdiction's share of the regional housing need by income level. If the analysis does not demonstrate adequate sites, appropriately zoned to meet the jurisdiction's share of the regional housing need, by income level, the element must include a program to provide the needed sites including providing zoning that allows owner-occupied and rental multifamily uses "by-right" with minimum densities and development standards that allow at least 16 units per sites.

An Analysis of Constraints on Housing:

Governmental and Non-Governmental - Includes land-use controls, fees and exactions, on- and off-site improvement requirements, building codes and their enforcement, permit and processing procedures, and potential constraints on the development or improvement of housing for persons with disabilities.

Housing Programs

Programs are required to identify adequate sites to accommodate the locality's share of the regional housing need; assist in the development of housing for low- and moderate-income households; remove or mitigate governmental constraints; conserve and improve the existing affordable housing stock; promote equal housing opportunity; and preserve the at-risk units identified.

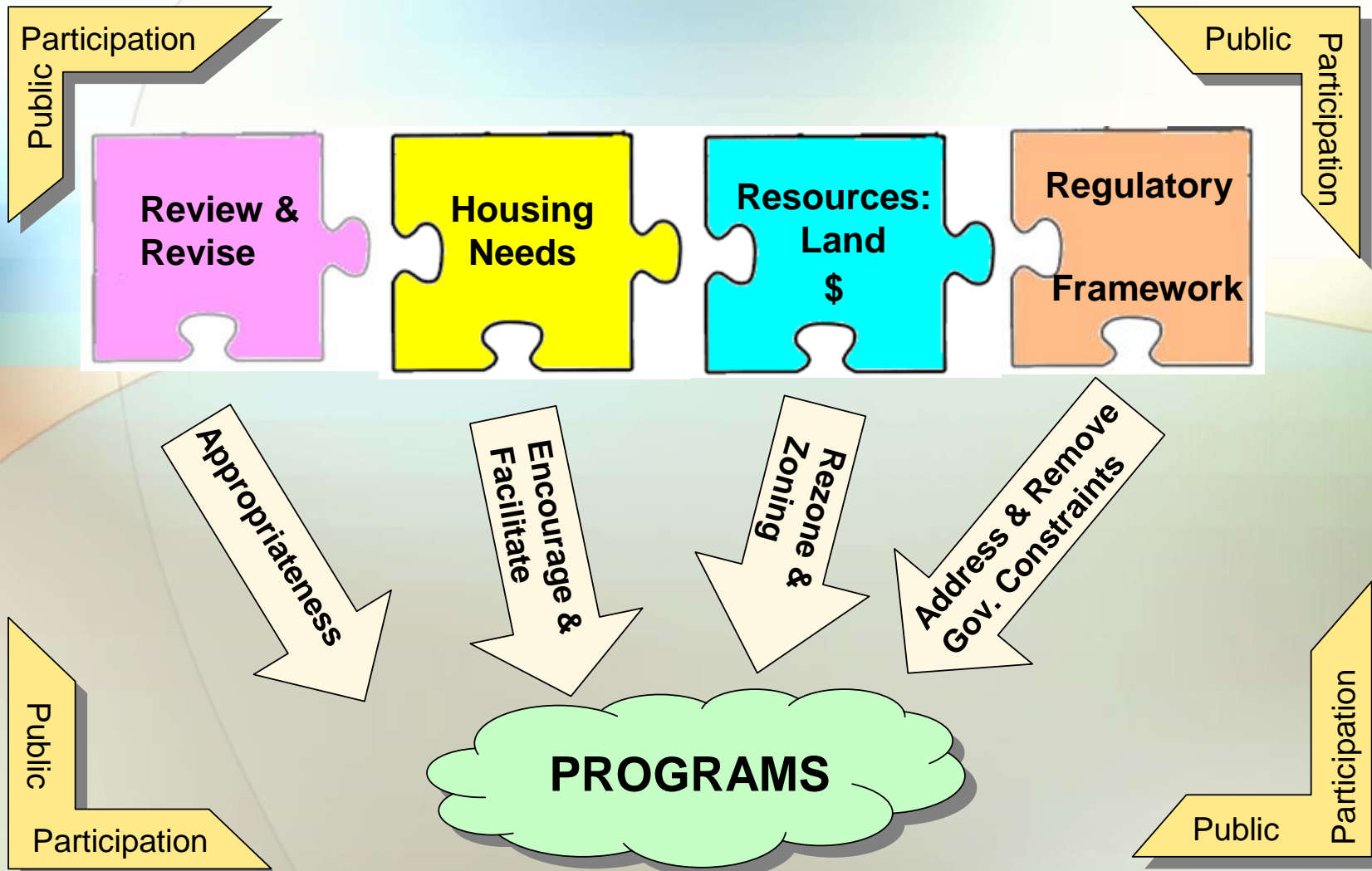
Quantified Objectives

Estimates the number of units, by income level, to be constructed, rehabilitated, and conserved over the planning period of the element.

Housing Element Framework

The following framework illustrates how the housing element requirements interrelate. Results from each of the four key components of the analysis: review and revise, housing needs, resources, and constraints are reflected in the policies, programs, and objectives found within the 5-year implementation plan. The entire process surrounded by public participation from draft stage to final adoption.

Housing Element Framework



THE UPDATE PROCESS

When updating the housing element, it is important to note the following:

- √ **Use the existing element as base, there is no need to start from scratch.** Many of the components of the existing housing element will only require general updates not complete revisions. This also allows the community to effectively consider how the plan contributed to meeting housing demand and needs and what revisions might be necessary to continue or ensure greater success..
- √ **Keep what works – change what doesn't.**
- √ **Utilize the Housing Element Worksheet.** The HCD housing element worksheet can serve as a checklist for local agencies to ensure all of the requirements of housing element law are addressed. It can also serve to expedite HCD review. Click here ([Housing Element Worksheet](#)) for a copy of the worksheet.
- √ **Utilize technical assistance provided by HCD staff-** Contact HPD staff if you have questions through out the process. HCD staff can also provide on-site technical assistance, some demographic/census data, case studies and program examples, library and research assistance, and implementation workshops. Contact information for current staff can be found by visiting <http://www.hcd.ca.gov/hpd/>.
- √ **Start the public participation process early and maintain effective engagement throughout the revision, adoption and implementation process.**

THE REVIEW PROCESS

Government Code Section 65585 requires local governments to submit copies of their draft and adopted housing elements to the Department for review. The Department will review the draft and report its findings to the jurisdiction. During the review process, HCD review staff will contact the local government to discuss the element and review prior to submitting final findings. After adoption of the element, the jurisdiction is required to submit the adopted element to the Department for review. The following is the timeframes allowed for each review:

60-day review for a draft element
90-day review for adopted element

Please note, in the preparation of its findings, the department may consult with any public agency, group, or person and **must** consider any third party comments regarding the draft or adopted element or amendment under review.

HCD staff also provides technical assistance in developing draft housing elements and, resources and advice in addressing review findings. Department staff will also visit communities and provide assistance in identifying resources to develop and implement the housing element.

TECHNICAL ASSISTANCE LINKS

The following links can assist in the preparation of the housing element:

[Housing Element Update Schedule](#)

[HCD Memo: Incentives for Housing Element Compliance](#)

[State Housing Element Law](#)

[Housing Element Review Worksheet](#)

[Housing Element Questions and Answers](#)

Division of Housing Policy Development Staff contacts: <http://www.hcd.ca.gov/hpd/>

Also please see each of the sections of the Housing Element Building Block webpage for more links related to each of the required components of housing element law.